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GROUP 1700

TO: UNITED STATES PATENT AND TRADEMARK OFFICEFACSIMILE #: (703) 872-9310No. Pages (Including this page) 14 FAX Opr: K. HutchisonIF YOU DO NOT RECEIVE CLEARLY ALL PAGES, PLEASE CONTACT US IMMEDIATELYBy Telephone AT: (703)905-2099 (local)
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NUMBERS STATED ABOVE

In re PATENT APPLICATION of

Inventor(s) Dederen et al.Appln. No. 09/865,296series code ↑ serial no.Filed: May 29, 2001Group Art Unit: 1712Examiner: Daniel S. MetzmaierAtty. Dkt. PM 0281137

M#

TITLE: Emulsification System and
EmulsionsDate: January 27, 2003Name or type of signed paper being transmitted:
AmendmentMESSAGE:

**PLEASE DELIVER AMENDMENT TO EXAMINER
METZMAIER AS SOON AS POSSIBLE. THANK YOU.**

(ATTN: Atty/Sec.: Transmit only one paper herewith. For papers not acceptable by fax, see back side or LAN
Forms Directory PAT-286 Rear. Do not file originals but fasten them in our file (left side) with
this sheet and fax receipt on top. Do NOT send the originals nor a confirmation copy to the PTO.)

CERTIFICATE OF FACSIMILE TRANSMISSION

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and Trademark Office on the date shown below.

Name Kristi Hutchison Sig. Kristi Hutchison Date January 27, 2003081903/0281137

C# / M#

Inventor(s): Dederen et al.
Appln. No.: 09 | 865,296
Series Code ↑ | Serial No. ↑

Group Art Unit 1712
Examiner: Daniel S. Metzmaier
Atty. Dkt. P 0281137
M# | Client Ref

Filed: May 29, 2001

Hon. Commissioner of Patents
Washington, D.C. 20231

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GROUP 1700

Title: Emulsification Systems and Emulsions

Sir:

REPLY/AMENDMENT/LETTER

Date: January 27, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim A. <input checked="" type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously For B & C See Required Separate Paper (Pat-256)		Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims		48	**minus 42	6	x \$18/\$9 =	+ \$108	103/203
3. Independent Claims		8	***minus 5	3	x \$84/\$42 =	+ \$252	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)				add	+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: December 25, 2002		<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)	\$110/\$55 =				115/215
		(2 mos)	\$410/\$205 =		+ \$110		116/216
		(3 mos)	\$930/\$465 =				117/217
		(4 mos)	\$1,450/\$725 =				118/218
		(5 mos)	\$1,970/\$985 =				128/228
7. Enter any previous extension fee paid since above original due date and subtract					- \$0		
8.					Extension Fee	+ \$110	
9. If Terminal Disclaimer attached, add Rule 20(d) official fee					+ \$110/\$55	+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c),				add	+ \$180	+ \$0	126
or if Rule 97(d) Request				add	+ \$180	+ \$0	126
11. After-Final Request Fee per rules 129(a) and 17(r)					+ \$750/370	+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b).....					x \$750/375 ea	+ \$0	149/249
13. Request for Continued Examination (RCE)					+ \$750/375	+ \$0	1179/1279
14. Petition fee for						+ \$0	
15.					TOTAL FEE =	\$470	
16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".					PLEASE CHARGE DEPOSIT ACCOUNT		
17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.							
18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.							

CHARGE Deposit Account No. 03-3975
Our Order No. 090128 | 0281137
C# | M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

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Sig:



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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

PAT-120 5/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Dederen et al.

Confirmation No. 6264

Application Serial No. 09/865,296

Group Art Unit: 1712

Filed: May 29, 2001

Examiner: Daniel S. Metzmaier

Title: EMULSIFICATION SYSTEMS AND EMULSIONS

* * * * *

AMENDMENT AND RESPONSE

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GROUP 1700

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Official Action dated September 25, 2002, please amend the above application as follows, and kindly consider the remarks made herein.

In the Claims

Please cancel Claims 5 and 6 without prejudice or disclaimer.

Please amend the claims as follows:

1. (Twice Amended) A personal care or cosmetic oil-in-water emulsion comprising: at least one oil; water; and an emulsifier stabilizer system composed of

- B
- (a) an oil emulsifier, wherein the emulsifier comprises one or more non-ionic emulsifier(s) selected from the group consisting of alkoxyate emulsifiers, fatty acid esters, ethers, hemi-acetals of polyhydroxylic compounds, acetals of polyhydroxylic compounds, and a fatty acid amide which is N-substituted with the residue of a polyhydroxylic compound, and
 - (b) a polysaccharide combination of a Xanthan polysaccharide and a polyglucomannan polysaccharide which is present from 0.02 to 0.5% by weight of the emulsion.

02/04/2003 TCOLE1 00000002 033975 09865296

01 FC:1251	110.00 CH
02 FC:1201	252.00 CH
03 FC:1202	108.00 CH